

By Steve King

When President Obama rescinded the Mexico City Policy on January 23, he stated, 'No matter what our views, we are united in our determination to prevent unintended pregnancies, reduce the need for abortion and support women and families in the choices they make. To accomplish these goals, we must work to find common ground.'

Obama's initial actions as President may have at times suggested he is sincerely trying to bring together traditionally divided groups. However, if President Obama is in any way serious about finding common ground on abortion, he should immediately withdraw his nomination of Dawn Johnsen to head the Justice Department's Office of Legal Counsel.

Nominating Johnsen to OLC is a serious slap in the face of pro-life Americans. Johnsen has condemned virtually every type of regulation of abortion conceived by a legislature and espoused a passionate pro-choice agenda throughout her career.

Her public records are dominated by pro-abortion rhetoric and criticisms of the pro-life movement. A few examples:

Comparing pregnancy to slavery

"Statutes that curtail her abortion choice are disturbingly suggestive of involuntary servitude, prohibited by the Thirteenth Amendment, in that forced pregnancy requires a woman to provide continuous physical service to the fetus in order to further the state's asserted interest."

– Dawn Johnsen, in a Supreme Court amicus brief she authored in *Webster v. Reproductive Health Services*

Protecting life makes women into no more than "fetal containers"

"The woman is constantly aware for nine months that her body is not wholly her own: the state has conscripted her body for its own ends. Thus, abortion restrictions, 'reduce pregnant women to no more than fetal containers.'"

-Dawn Johnsen, in a Supreme Court amicus brief she authored in *Webster v.*

Reproductive Health Services

Pro-life supporters are comparable to the Ku Klux Klan

“The ‘terrorist’ behavior of petitioners is remarkably similar to the conspiracy of violence and intimidation carried out by the Ku Klux Klan...”

-Dawn Johnsen, in a Supreme Court amicus brief she authored in *Bray v. Alexandria Women’s Health Clinic*

Abortion brings relief

“The experience is no longer traumatic; the response of most women to the experience is relief.”

– Dawn Johnsen, in a Supreme Court amicus brief she authored in *Webster v. Reproductive Health Services*

Those that become pregnant are “losers”

“The argument that women who become pregnant have in some sense consented to the pregnancy belies reality...and others who are the inevitable losers in the contraceptive lottery no more ‘consent’ to pregnancy than pedestrians ‘consent’ to being struck by drunk drivers.”

- Dawn Johnsen, in a Supreme Court amicus brief she authored in *Webster v. Reproductive Health Services*

There is no need to reduce the number of abortions

“Progressives must not portray all abortions as tragedies. . . Senator Hillary Clinton, in a 2005 speech commendable for setting forth a prochoice, pro-prevention, pro-family agenda, took the aspiration a step in the wrong direction when she called for policy changes so that abortion ‘does not ever have to be exercised or only in very rare circumstances.’”

- Dawn Johnsen in *The Constitution* in 2020

Perhaps most egregiously, Johnsen attacked the Supreme Court’s decision in

Gonzales v. Carhart, which upheld Congress' ban on partial-birth abortion, a procedure the late Senator Daniel Patrick Moynihan described as "too close to infanticide." Johnsen asserted that because of the Supreme Court's decision "every first-year law student's constitutional law casebook" now contains "gruesome descriptions designed to make abortion sound like infanticide."

President Obama has promised to hold judicial nominees to a standard—a standard that respects the Constitution and resists the temptation to substitute personal ideology for legal reasoning. While the Office of Legal Counsel is not a judicial nomination, it has the important duty of providing the Executive Branch and the U.S. Department of Justice with legal counsel. The OLC head should be held to the same standard.

Johnsen does not meet this standard. Her intemperate positions and indifference towards those who hold contrary views do not reflect the sober judgment required to lead the Office of Legal Counsel. She is divisive, partisan and will alienate those who do not hold her radical agenda.

Perhaps President Obama is sincere in his desire to bring both sides together on the abortion issue, but every day Dawn Johnsen heads the OLC is a day that the President will have no credibility with the pro-life community.